REMARKS/ARGUMENTS

Claims 1-3, 5, and 8-14 are pending in the present application, of which claim 1 is independent. Claims 1-3, 5, and 11-13 are hereby amended. Claims 16 and 18 are canceled without prejudice or disclaimer of their subject matter. No new matter has been added.

The courtesies extended to Applicant's representative by Examiner Ryan J. Jakovac during the interview held on June 24, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview

Entry of this Amendment is proper under 37 CFR § 1.116 because this Amendment places the application in condition for allowance (for the reasons discussed herein); does not raise any new issues requiring further search and/or consideration (because the amendments amplify issues previously discussed throughout the prosecution); satisfies a requirement of form asserted in the previous Office Action; does not present any additional claims; and places the application in better form for appeal, should an appeal be necessary.

REJECTIONS UNDER 35 U.S.C. § 101

On page 2, the Office Action rejects claims 1, 16, and 18 under 35 U.S.C. § 101 as allegedly drawn to non-statutory subject matter. Applicant respectfully traverses these rejections.

Regarding claim 1, the Office Action alleges that a method claim must "positively recite the statutory class" or "transform underlying subject matter. In response, Applicant respectfully submits that the "machine-or-transformation" test set forth by *In re Bilski* is applicable to these claims, especially because recitation of a "particular machine" is not necessarily equivalent to the Office Action's reference to positive recitation of a statutory class.

To satisfy the "particular machine" prong of the *Bilski* test, claim 1 now recites, in part, the following subject matter: "modifying an ImpRT attribute of a VRF table **in said PE router**" (emphasis added). As the PE router is a particular machine, Applicant respectfully submits that recitation of the PE router in the body of claim as well as the preamble satisfies the *Bilski* test. Thus, Applicant respectfully submits that claim 1 recites statutory subject matter. Claims 16 and 18 are canceled. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1, 16, and 18 under 35 U.S.C. § 101.

REJECTIONS UNDER 35 U.S.C. § 103(a)

On pages 3-6, the Office Action rejects claims 1-3, 5, and 8-14 under 35 U.S.C. § 103(a) as allegedly unpatentable over RFC-2547-bis in view of RFC-1771. On pages 6 and 7, the Office Action rejects claims 16 and 18 under 35 U.S.C. § 103(a) as allegedly unpatentable over RFC-2547-bis in view of RFC-1771, further in view of U.S. Patent No. 7,139,838 to Squire et al. (hereinafter "Squire"). Applicant respectfully traverses these rejections for the reasons set forth below.

Independent method claim 1 recites, in part, the following subject matter: "managing virtual routing forwarding (VRF) tables at a provider **edge** (PE) router" (emphasis added). In contrast, the Office Action relies upon RFC-2547-bis and, in particular, a section that discusses the use of route reflectors.

As described in Section 4.3.3, "Use of Router Reflectors," a route reflector is a system that maintains routing information for distribution to other nodes required for providing a Virtual Private Network (VPN). As further detailed in section 4.3.3, "Unless a given PE is a **client** of all route reflectors, when a new VPN is added to the PE ('VPN Join'), it will need to become a **client** of the route reflectors that maintain routes for that VPN" (emphasis added). In other words, route reflectors are nodes in the **core** of the network that provide routing information to clients, which are PE nodes. Thus, Applicant respectfully submits that, because PE routers

are clients of the route reflectors, the route reflectors disclosed in RFC-2547-bis are not PE routers.

Independent method claim 1 further recites the following subject matter: "modifying an **ImpRT** attribute of a first VRF table in said **PE router**" (emphasis added). While RFC-2547-bis discloses Route Target attributes, RFC-2547-bis does not modify them in PE routers. Instead, as recited on page 20, RFC-2547-bis has each route reflector preconfigured with a block of Route Targets. As described above, these route reflectors are not PE routers.

Independent method claim 1 further recites the following subject matter: "searching said ImpRT tree for a match to said modified ImpRT attribute to identify a **second VRF table** in said **PE router** having a **matching** ImpRT attribute" (emphasis added). While RFC-2547-bis discloses VRF tables, RFC-2547-bis does not identify a second VRF table in the recited manner. Rather than searching for a match to a modified import Route Target, route distribution among VRFs, as disclosed on page 23 of RFC-2547-bis, occurs on a per-route basis.

Independent method claim 1 further recites the following subject matter: "**searching** for routes in a sub-RIB associated with said **second** VRF table" and "**copying** said routes from said sub-RIB into said **first** VRF table based on all route target attributes configured for said first VRF table, including said modified ImpRT attribute" (emphasis added). As disclosed on page 19, RFC-2547-bis does not

perform this operation. When a new Import Target is added to a VRF in a PE router, RFC-2547-bis teaches that the refresh mechanism **must** then be used to acquire routes that it may previously have discarded.

To summarize, Applicant respectfully submits that the RFC-2547-bis standard fails to disclose, suggest, or teach copying from one VRF to another based upon matching ImpRTs. As described above, while RFC-2547-bis describes the use of routes, it cannot copy them in the recited manner. As described in section 4.3.2, "If a new Import Target is later added to one of the PE's VRFs, it **must** then acquire the routes it may previously have discarded" (emphasis added). Accordingly, Applicant respectfully submits that the subject matter recited in the claims clearly differs from RFC-2547-bis by permitting such routes to be copied after matching ImpRTs.

Regarding section 4.3.6 of the RFC-2547-bis standard, entitled "Route Distribution Among VRFs in a Single PE," Applicant respectfully submits that this part of RFC-2547-bis only discloses distribution on a per-route basis, failing to suggest or teach copying **all** routes on the basis of matching ImpRT attributes.

For the reasons detailed above, Applicant respectfully submits that independent claim 1 is allowable over the references of record. Claims 2-3, 5, and 8-14 depend from allowable claim 1. Thus, Applicant respectfully submits that claims 2-3, 5, and 8-14 are allowable at least on the basis of their respective dependencies

upon allowable independent claims. Claims 16 and 18 have been canceled without prejudice or disclaimer of their subject matter. Accordingly, Applicant respectfully requests that the rejections of claims 1-3, 5, 8-14, 16, and 18 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues. In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

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